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8	Attorneys for Defendant		
9	UNITED STATES DISTRICT COURT		
10	DISTRICT OF NEVADA		
11			
12	LATRINA C. COX,	) Case No.: 2:21-cv-01244-BNW	
13	Plaintiff,	) ) STIPULATION FOR THE AWARD AND	
14	V.	<ul><li>) PAYMENT OF ATTORNEY FEES AND</li><li>) EXPENSES PURSUANT TO THE EQUAL</li></ul>	
15	KILILO KIJAKAZI, Acting Commissioner of Social Security, <sup>1</sup>	) ACCESS TO JUSTICE ACT, 28 U.S.C. ) § 2412(d), AND COSTS PURSUANT TO	
16	Defendant.	) 28 U.S.C. § 1920 )	
17		) )	
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19			
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23			
24	1 Kilolo Kijakazi hacama tha Actina Commissio	oner of Social Security on July 0 2021 Durguent to	
25	<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore,		
26	for Andrew Saul as the defendant in this suit. N reason of the last sentence of section 205(g) of the	o further action need be taken to continue this suit by the Social Security Act, 42 U.S.C. § 405(g).	

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff Latrina C. Cox be awarded attorney fees and expenses in the amount of eight thousand four hundred dollars (\$8,400.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Olinsky Law Group. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made directly to Olinsky Law Group, pursuant to the assignment executed by Plaintiff. Any payments made shall be delivered to Olinsky Law Group.

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or Olinsky Law Group may have relating to EAJA attorney fees in connection with this action.

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1	This award is without prejudice to the rights of Olinsky Law Group, to seek Social Security	
2	Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.	
3		
4	Dated: September 28, 2022	Respectfully submitted,
5		OF COUNSEL, OLINSKY LAW GROUP
6 7		/s/ Hal Taylor HAL TAYLOR Attorney for Plaintiff
8		(*as authorized via email on September 28, 2022) Attorney for Plaintiff
9		
10	Dated: September 28, 2022	Respectfully submitted,
11		JASON M. FRIERSON
12		United States Attorney
13		/s/ Sathya Oum SATHYA OUM
14		Special Assistant United States Attorney Attorneys for Defendant
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17		
18		<u>ORDER</u>
19	IT IS ORDERED that ECF No. 34 is GRANTED.	
20	IT IS FURTHER ORDERED that ECF No. 33 is DENIED as moot.	
21	lr	IT IS SO ORDERED  DATED: 11:21 am, September 30, 2022
22		Benoweter Brenda Weksler
23		DREADS WERSLER UNITED STATES MAGISTRATE JUDGE
24		
25		
26		3

**CERTIFICATE OF SERVICE** 1 I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My 2 business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to 3 the above-entitled action. On the date set forth below, I caused service of STIPULATION FOR 4 THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO 5 THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d), AND COSTS PURSUANT TO 6 28 U.S.C. § 1920 on the following parties by electronically filing the foregoing with the Clerk of the 7 District Court using its ECF System, which provides electronic notice of the filing: 8 9 Hal Taylor, Esq. Of Counsel, Olinsky Law Group 10 NV Bar No.: 4399 2551 West Lakeridge Shores 11 Reno, NV 89519 Telephone: 775-825-2223 12 Facsimile: 775-329-1113 Email: haltaylorlawyer@gbis.com 13 14 I declare under penalty of perjury that the foregoing is true and correct. 15 Dated: September 28, 2022 16 /s/ Sathya Oum 17 SATHÝA OUM Special Assistant United States Attorney 18 19 20 21 22 23 24 25 26